



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201401
Helena, MT 59620-1401



March 15, 2007

Lois Poswiatowski
376 Aspen Wood Drive
Stevensville MT 59870

RECEIVED

MAR 26 2007

Ravalli County Commissioners
[Signature]

Subject: Speed limit on Eastside Highway in Ravalli County

Dear Lois,

Thank you for the opportunity for the Montana Department of Transportation (MDT) to address your concerns about the current speed limit on the Eastside Highway in Ravalli County.

Senator Shockley is correct in stating that in the absence of enforcement most people will drive the speed they feel most comfortable driving. We are sending a copy of this letter to Captain Tom Hamilton of the Montana Highway Patrol, they have limited resources and speed limit enforcement is only one of their many responsibilities.

There are two ways to adjust speed limits in Montana. The legislature is one avenue, another is through the Transportation Commission. To request a speed limit adjustment by the Transportation Commission, MDT typically receives a request from the local government and then by state statute, initiates a speed study.

When the study is complete, MDT will present the findings to the local government for comment. The local government may send additional comments, the comments are reviewed and a recommendation is sent to the Transportation Commission. The Transportation Commission has the authority to set the speed limit.

We are sending a copy of this letter to Ravalli County Commissioners. They can consider sending MDT a brief letter requesting a speed study with identified limits and we will begin the process. However, a review of majority of the Eastside highway has recently been completed and the county supported the following speed limits:

- Hamilton to Corvallis- 60 mph established in 2004,
- Corvallis to Stevensville- 65 mph established in 2005, and
- Stevensville to Florence- established in 2002.

Lois, we share your concern for public safety and will do our best to find the most appropriate means of improving safety within the area you have mentioned

Sincerely,

Jim Lynch
Director

copies: The Honorable Jim Shockley, SD 45
Ravalli County Commission
Tom Hamilton, Montana Highway Patrol

Quane Bailey, Missoula
Quane Williams, Tropic

Montana State Senate



SENATOR JIM SHOCKLEY
SENATE DISTRICT 10

HELENA ADDRESS
PO BOX 200000
HELENA, MONTANA 59620-0500
PHONE (406) 444-4800

HOME ADDRESS:
PO BOX 608
VICTOR, MONTANA 59875
PHONE: (406) 642-6647/3792 (OFFICE)
(406) 642-3817 (HOME)

The Big Sky Country

LEGISLATION
ETHICS
LOCAL GOVERNMENT

RECEIVED

FEB 23 2007

MT. DEPT. OF TRANSPORTATION
DIRECTORS OFFICE

21 February 2007

Montana Department of Transportation
Director Jim Lynch
P.O. Box 201001
Helena, Montana 59620-1001

RE: Speed limit on Eastside Highway in Ravalli County

Dear Director:

Lois Poswiatowski, a constituent of mine, has observed that vehicles traveling on the Eastside Highway are traveling too fast, even if not exceeding the speed limit of 70 m.p.h. I agree, and a copy of our email correspondence is attached to this letter.

Her address appears at the end of this letter. I would appreciate it if you addressed her concerns, even if you cannot satisfy them. You are much more knowledgeable in such matters than myself and I thank you for your time.

Respectfully,

Jim Shockley

cc: Lois Poswiatowski
376 Aspen Wood Drive
Stevensville, Montana 59870

Hayes, Kevin

From: LOIS Poswiatowski [mailto:loispos@msn.com]
Sent: Tuesday, February 20, 2007 10:05 AM
Subject: Response from Sen. Jim Shockley

Jim,
If you tell me who the correct authority is for setting a reasonable speed limit on East Side Hwy., then I will certainly contact that person or agency. Yes, I would like you to contact DOT or whomever you think might be helpful in lowering the speed limit AND enforcing it on East Side Hwy. My address is 376 Aspen Wood Drive, Stevensville 59870. I disagree with your opinion that people will drive whatever speed limit they think is reasonable. They will drive whatever they feel comfortable with and think they can get away with...and there are a few who actually obey the law and do the speed limit! For those who don't, there needs to be more enforcement. We had unlimited speeds years ago and it did NOT work. What does raising the speed limit to 70 mph on Hwy 93 do for anyone except cause more deaths and serious injuries. Does getting them back and forth from Missoula maybe 30 seconds to 1 minute sooner worth it? No, it's not! What is the rationale behind raising it 5 mph?
The reason people slow down in Florence and Lolo is because of the speed limit...not because of any "calming effect" of a built up area.
More houses are going up everyday off East Side Hwy. It's ludicrous to think that more and more traffic can be put on that road with it needing a "calming effect". People live right on this highway and have to pull out of their driveways where cars are going 70 mph+. This is not the case for most of 93 plus a good portion of 93 is now 4 lanes. I'm sure you have heard the saying, "Pray for me, I drive on 93". That comes from your constituents, and to me, it reflects the helplessness they feel about their safety driving on these roads.
I think raising the speed limit to 70 mph on Hwy 93 is unwarranted and reckless and not lowering the speed limit on a heavily traveled 2 lane highway like East Side is down right negligent.
Lois Poswiatowski

>From: "Hayes, Kevin" <khayes@mt.gov>
>To: "LOIS Poswiatowski" <loispos@msn.com>
>Subject: RE: Response from Sen. Jim Shockley
>Date: Tue, 20 Feb 2007 16:50:53 -0700

>
>This message is being sent on behalf of Sen. Jim Shockley.

>
>Lois,

>
>I have no bill draft requests left, in other words I cannot ask for a
>bill to be drafted that would address your concerns. Furthermore, all
>bills from the Senate must be sent to the House by Wednesday the 28th.
>All committee hearings end this Friday the 23rd which have to take
>place before the Senate can vote on a bill. So, it is not really
>possible to do what you wish, even if I thought it a good idea.

>
>However, it is the business of the Department of Transportation, or the
>County Commission (depending on the road) to use the present statutes
>and adjust the speed limit as required. As a general rule I do not
>think it is for the legislature to set the speed limit on a particular
>section of road. Think of what that would entail! There is a special
>speed limit on U.S. 93, 65 m.p.h., and I supported it. That was passed
>in 1999. We just passed a bill the other day to raise it to 70 m.p.h.,
>and it has been sent to the House. People will drive fast if they
>believe it is safe and people would not drive 65.

>
>Now, the Eastside Highway is not a major road. I just do not think it
>is good public policy to have the legislature set the speed limit on
>roads like the Eastside Highway, we only have 90 days and we would do

>nothing else for a whole session setting speed limits. Of course, just
>because a bill was put in does not mean that it will pass; there is no
>assurance the Legislature will agree with you and I. Also, I think that
>almost all of the transportation agencies we do not want to be in
>the business of setting speed limits in specific areas.

>I am here to represent you, not my constituents. However, you are
>my one person and I have no obligation to submit to your judgement
>for me. Actually, I believe that people trust my judgement, that is
>why they keep sending me back.

>>I have been on the committee that advises the DOT for over 10 years in
>regard to U.S. 93. The reason the cars slow down at Florence is the
>"calming" effect of the built up area, coupled with a stop light, and a
>lot of traffic. Still, many cars appear to exceed 35 m.p.h. The
>Eastside Highway is rural and people drive that way.

>>If you send me your address so I can send you a copy, I will send a
>letter to the Director of the DOT and express your concerns. It may do
>some good.

>>Jim

>-----Original Message-----

>From: LOIS Poswiatowski [mailto:loispos@msn.com]
>Sent: Tuesday, February 20, 2007 12:24 PM
>To: Hayes, Kevin
>Subject: RE: Response from Sen. Jim Shockley

>>Yes, I think 45 mph is too slow also, so maybe drivers would only drive
>>55 mph instead of 70 mph! "Nobody will go that slow"? Where's the law
>enforcement? When people drive through Lolo, they drive the speed limit
>of

>>35 mph. Remember, however, you are supposed to represent your
>constituents

>and address their concerns...not yours. We drive that death trap
>everyday and see the mangled cars...and sometimes bodies. It is NOT
>safe the way it is now. So how much time do you need to change a speed
>limit??? Now you are saying that we have to wait another 2 years to
>get ANYTHING done when you have time to adopt a state lullaby? Aren't
>lives of your constituents more important? Guess not.

>Lois Poswiatowski

>>>From: "Hayes, Kevin" <khayes@mt.gov>
>>>To: <loispos@msn.com>
>>>Subject: Response from Sen. Jim Shockley
>>>Date: Tue, 20 Feb 2007 09:13:14 -0700

>>>>This message is being sent to you on behalf of Sen. Jim Shockley in
>>>>response to a message you had sent previously. If you wish to respond
>>>>to this message, please use the legislative messaging web form at
>>>><http://leg.mt.gov/css/sessions/60th/legwebmessage.asp>

>>>>>I think 45 mph is too slow. Nobody will go that slow. However, 70 mph
>>>>>is too fast. It is too late this year to do anything. Thank you for
>>>>>the

>>>>>e-mail.

>>>>>Sen. Jim Shockley